

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ST. FRANCIS ASSISI,

Plaintiff,

v.

KUWAIT FINANCE HOUSE, et al.,

Defendants.

Case No. [16-cv-03240-JSW](#)

**ORDER TO SHOW CAUSE WHY
COURT SHOULD NOT ENTER
JUDGMENT AND VACATING CASE
MANAGEMENT CONFERENCE**

Re: Dkt. Nos. 39, 40

On June 13, 2016, Plaintiff filed the Complaint in this action. On November 2, 2016, Kuwait Finance House and Kuveyt-Turk Participation Bank (“Defendants”) moved to dismiss the Complaint. The Court granted that motion on January 24, 2017, and it set February 28, 2017 as the deadline to file an amended complaint. (Dkt. No. 35, Order Granting Motion to Dismiss.) In that Order, the Court stated that “i[f] SFA fails to file an amended complaint by February 28, 2017, the Court shall dismiss the case with prejudice for lack of standing and shall enter judgment in favor of each of the Defendants.” (*Id.* at 8:10-12.)

On February 13, 2017, Plaintiff filed an administrative motion to extend that deadline by 45 days. Plaintiff stated the extension was required because the “individuals whose name and story [*sic*] will be added” are afraid of retribution and the extension will allow them to consult with families and to assess “the risks involved ... and continuing with the litigation.” (Mot. at 2:9-14.) The Court granted, in part, Plaintiff’s motion for an extension of time. (Dkt. No. 39, Order Granting in Part Administrative Motion for Extension of Time.) The Court ordered Plaintiff to file its amended complaint by no later than March 24, 2017. Plaintiff did not file an amended complaint on that date. On March 28, 2017, Defendants filed a request for entry of judgment.

Because the Court did not include language in the Order granting Plaintiff’s motion for an

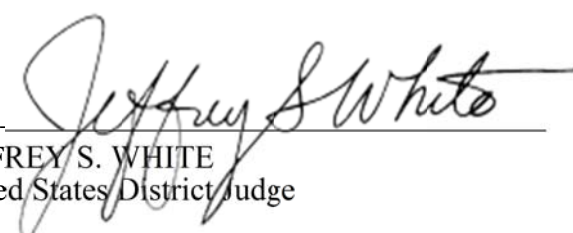
1 extension of time that failure to comply with the deadline set in the Order would result in
2 dismissal with prejudice, the Court HEREBY ORDERS Plaintiff to show cause why the Court
3 should not enter judgment in favor of all Defendants for lack of standing and for failure to comply
4 with the deadline to file an amended complaint.

5 Plaintiff's response to this Order to Show Cause shall be due by April 14, 2017. If
6 Plaintiff fails to file a response by that date, the Court will dismiss this case with prejudice for the
7 reasons set forth in its Order granting Defendants' motion to dismiss.

8 The Court VACATES the case management conference scheduled for April 21, 2017, and
9 it will reschedule that conference if necessary.

10 **IT IS SO ORDERED.**

11 Dated: March 31, 2017

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14 JEFFREY S. WHITE
15 United States District Judge
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